

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment
of the
Rules of the Supreme Court of the State of Hawai'i

ORDER AMENDING RULES OF
THE SUPREME COURT OF THE STATE OF HAWAII
(By: Moon, C.J., Levinson, Nakayama, JJ, Intermediate
Court of Appeals, Chief Judge Burns in place of Acoba, J.,
who is unavailable, and Intermediate Court of Appeals Judge
Watanabe, assigned by reason of vacancy.)

IT IS HEREBY ORDERED that Rules 2.4, 16.2 and 17 of the
Rules of the Supreme Court of the State of Hawai'i are amended,
effective July 1, 2003, as follows (deleted material is bracketed
and new material is underlined):

1. Rule 2.4(e)(7) of the Rules of the Supreme Court of the
State of Hawai'i is amended as follows:

2.4 Disciplinary Board.

* * *

(7)(i) To develop an annual budget for
operating the Office of Disciplinary Counsel
and performing the functions of the Board, to
develop appropriate financial policies for
managing of all funds received by the Board,
and to propose an annual fee;

(ii) to submit, no later than [October
1] September 15 each year, the developed
budget, financial policies, and fee structure
to the Hawai'i State Bar to allow an
opportunity for meaningful review, analysis,
input, and comment by the Hawai'i State Bar
prior to submission to the supreme court;

(iii) to receive written comments, if
any, from the Hawai'i State Bar regarding the
budget, financial policies, and fee
structure;

(iv) to reply in a timely fashion in
writing to any written comments from the

Hawai'i State Bar regarding section (iii), provided the comments were received no later than [November 1] October 15; and

(v) to submit, no later than [November 15] November 1 each year, the budget, financial policies, and annual fee along with any and all written comments received from the Hawai'i State Bar, and any replies thereto, to the supreme court for its review and approval.

2. Rule 16.2(d)(4) of the Rules of the Supreme Court of the State of Hawai'i is amended as follows:

**16.2. Attorneys and Judges Assistance
Program Board.**

* * *

(d) The Board shall exercise the powers and perform the duties conferred and imposed upon it by these rules, including the power and duty:

* * *

(4) To receive from the Bar the fees collected under Rule 17(d)(2)(iv); to prepare and maintain appropriate accounting records showing the receipt and disposition of those funds, which records shall be subject to audit; and to prepare an annual budget for the expenditure of those funds[.]; to develop appropriate financial policies for managing all of the funds received by the Board; and to propose an annual fee as follows:

(i) submit, no later than September 15 each year, the developed budget, financial policies, and fee structure to the Hawai'i State Bar to allow an opportunity for meaningful review, analysis, input, and comment by the Hawai'i State Bar prior to submission to the supreme court;

(ii) to receive written comments, if any, from the Hawai'i State Bar regarding the budget, financial policies, and fee structure;

(iii) to reply in a timely fashion in writing to any written comments from the Hawai'i State Bar regarding section (ii), provided the comments were received no later than October 15; and

(iv) to submit, no later than November 1 of each year, the budget financial policies, and annual fee along with any and all written

comments received from the Hawai'i State Bar, and any replies thereto, to the supreme court for its review and approval.

3. Rule 17(d)(2)(iv) of the Rules of the Supreme Court of the State of Hawai'i is amended as follows:

RULE 17. THE HAWAII STATE BAR

* * *

(d) Member Registration, Assessment, Suspension and Status.

* * *

(2) *Dues, Fees and Charges.* Each member shall pay to the Bar the following dues, fees, or charges:

(i) Hawaii State Bar Dues. Annual dues as determined by the Board of Directors of the Bar.

(ii) Disciplinary Board Fee. The annual fee, determined in accordance with Rule 2.4(e)(7), shall be paid over by the Bar at least quarterly to the Disciplinary Board.

(iii) Lawyers' Fund for Client Protection Fee. The fee, determined in accordance with Rule 10.4(1), shall be paid over by the Bar at least quarterly to the Fund.

(iv) Attorneys and Judges Assistance Program Fee. [This is a flat annual fee. The Bar shall remit the proceeds of said fee to the AAP Board at least annually.] The annual fee, determined in accordance with Rule 16.2(d)(4) shall be paid over by the Bar at least quarterly.

DATED: Honolulu, Hawai'i, May 12, 2003.